

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

LESHAWN WILSON,)	
)	
Petitioner,)	
)	
v.)	No. 12-3293-CV-S-DW
)	
LINDA SANDERS, Warden ¹ United States)	
Medical Center for Federal Prisoners,)	
)	
Respondent.		

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge James C. England (Doc. 12). Judge England has completed his preliminary review of the petition and has submitted to the undersigned a report and recommendation that the petition be dismissed without prejudice.

Petitioner has had a full and fair opportunity to challenge Judge England's recommended findings of fact, conclusions of law and proposed action. Petitioner has not filed any objections to the report and recommendation.

After a de novo review of the report and recommendation and the record of this case, it is concluded that the findings of fact, conclusions of law and proposed action of Judge England are correct and should be approved. It is therefore ORDERED that:

- (1) The petitioner be, and is hereby, denied leave to proceed in forma pauperis;

¹ The name of the current warden at the Medical Center has been substituted as the proper respondent.

and

- (2) The petition herein for a writ of habeas corpus be, and is hereby, dismissed without prejudice.

SO ORDERED.

Date: December 6, 2012

/s/ Dean Whipple
Dean Whipple
United States District Judge